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Paper No. 9

PENNIE AND EDMONDS
1155 AVENUE OF THE AMERICAS
NEW YORK NY 10036-2711

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AUG 21 2002

In re Application of	:	OFFICE OF PETITIONS
Richard B. Olsen, Michel M. Dacorogna,	:	
Oliver V. Pictet, Ulrich A. Muller, Rakhal D.	:	
Dave, and Lars A. Jaegar	:	DECISION GRANTING STATUS
Application No. 09/855,633	:	ON RENEWED PETITION
Filed: May 14, 2001	:	UNDER 37 CFR 1.47(a)
Attorney Docket No. 10366-009	:	
Title: METHODS FOR TRADE DECISION	:	
MAKING	:	

This is in response to the renewed petition under 37 C.F.R. §1.47(a)¹, filed July 23, 2002².

The renewed petition is **GRANTED**.

On May 14, 2001, the application was deposited, identifying Richard B. Olsen, Michel M. Dacorogna, Oliver V. Pictet, Ulrich A. Muller, Rakhal D. Dave, and Lars A. Jaegar as joint inventors. The application was deposited without a fully executed oath or declaration. On July 12, 2001, a "Notice to File Missing Parts of Nonprovisional Application – Filing Date Granted" (Notice) was mailed, indicating that an executed oath or declaration and a surcharge of \$65.00 were required. This Notice set a two-month period for reply.

¹A grantable petition under 37 C.F.R. §1.47(a) requires:

- (1) the petition fee of \$130;
- (2) a surcharge of either \$65 or \$130 if the petition is not filed at the time of filing the application;
- (3) a statement of the last known address of the non-signing inventors;
- (4) proof that a copy of the entire application (specification, claims, drawings, and the oath or declaration) was sent or given to the non-signing inventor for review;
- (5) proof that the non-signing inventor refuses to sign the oath or declaration after having been presented with the application papers if the inventor refuses to sign, or proof that diligent efforts have been made to locate the non-signing inventor if he or she cannot be found, and;
- (6) a declaration which complies with 37 CFR §1.63.

² The original petition was filed on February 13, 2002. It was dismissed in a decision mailed on August 9, 2002.

With the original petition, the petitioner failed to satisfy requirements (4) and (5) above, in that petitioner failed to show that a complete copy of the application was sent to the non-signing inventor.

The procedures set forth meet the requirements of this petition, in that the document submitted establishes that a complete copy of the application was sent to the non-signing inventor, and he has failed to respond.

As such, the above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(a), this Office will forward notice of this application's filing to the non-signing inventors at the addresses given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

After this decision is mailed, the application will be forwarded to Technology Center 2100 for further processing.

Telephone inquiries regarding this decision should be directed to Petitions Attorney Paul Shanoski at (703) 305-0011.


Beverly M. Flanagan
Supervisory Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy



United States Patent and Trademark Office

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MAKING	:	

Dear Mr. Pictet:

You are named as a joint inventor in the above-identified United States patent application filed under the provisions of 35 U.S.C. 116 (United States Code) and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, agent of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Paul Shanoski at (703) 305-0011. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to

the Certification Division at (703) 308-9726 or 1-800-972-6382 (outside the Washington D.C. area).


Beverly M. Flanagan
Supervisory Petitions Examiner
Office of Petitions
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for Patent Examination Policy

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